

**GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA**

UNSTARRED QUESTION NO:2786

ANSWERED ON:21.03.2005

ESTABLISHMENT OF ENVIRONMENT COURTS

Barad Shri Jashubhai Dhanabhai;Prasad Shri Hari Kewal;Renge Patil Shri Tukaram Ganpatrao

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Government has taken note of the observations made by the Hon'ble Supreme Court as well as Law Commission suggesting setting up of special environment courts to deal with the cases of violation of environmental laws;

(b) if so, the steps taken by the Government so far in this regard;

(c) whether the Government proposes to strengthen the institutional machinery at Central as well as State levels in order to ensure the implementation of anti-pollution laws and hold the head of the unit/agency responsible for any violations; and

(d) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI NAMO NARAIN MEENA)

(a) and (b) Yes, Sir. The Law Commission, in its 186th Report, has inter alia recommended establishment of separate 'Environment Courts' at the State level consisting of judicial and scientific experts in the field of environment, for dealing with environmental disputes besides having appellate jurisdiction in respect of appeals under the various Pollution Control Laws. The recommendations of the report are under consideration of the Government.

(c) and (d): In order to strengthen the institutional mechanism at the Central and State levels, the Government has delegated powers under the Environment (Protection) Act, 1986 to the Central Pollution Control Board, State Pollution Control Boards and Committees. Personal responsibility is provided under the environmental laws. For any offence committed, the person responsible is deemed to be guilty of the offence and proceeded against.